

## TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

Attorney's Docket Number

08059.0002

U.S. Application No.

09/622,535

International Application. No.

PCT/NZ98/00098

International Filing Date

July 10, 1998

Priority Date Claimed

February 20, 1998

February 24, 1998

Title of Invention: A MULTI-LAYER DISPLAY AND A METHOD FOR DISPLAYING IMAGES ON SUCH A DISPLAY

Applicants For DO/EO/US: 1) Pita WITEHIRA and 2) Gabriel Damon ENGEL

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ Annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☒ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. ☐ Verified Small Entity Statement.
  - b. ☒ Copy of Notification of Missing Requirements.

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65.00 OP

U.S. APPLICATION NO.  
09/622,535

INTERNATIONAL APPLICATION NO. PCT/NZ98/00098  
ATTORNEY DOCKET NUMBER 08059.0002

17. [X] The following fees are submitted:

CALCULATIONS

**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO.....\$840.00  
International preliminary examination fee paid to  
USPTO (37 CFR 1.482).....\$670.00  
No international preliminary examination fee paid to  
USPTO (37 CFR 1.482) but international search fee  
paid to USPTO (37 CFR 1.445(a)(2)).....\$690.00  
Neither international preliminary examination fee  
(37 CFR 1.482) nor international search fee  
(37 CFR 1.445(a)(2)) paid to USPTO.....\$970.00  
International preliminary examination fee paid to USPTO  
(37 CFR 1.482) and all claims satisfied provisions  
of PCT Article 33(1)-(4).....\$ 96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than  
[ ] 20 [ ] 30 months from the earliest claimed priority date  
(37 CFR 1.492(e)).

\$ 130.00

Claims	Number Filed	Number Extra	Rate
Total Claims	17-20=	0	X \$18.00
Independent Claims	4- 3=	1	X \$78.00
Multiple dependent claim(s) (if applicable)			+\$260.00

\$

**TOTAL OF ABOVE CALCULATIONS = \$130.00**

Reduction by 1/2 for filing by small entity, if applicable. Verified  
Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)

\$

**SUBTOTAL = \$65.00**

Processing fee of \$130.00 for furnishing the English translation later  
than [ ] 20 [ ] 30 months from the earliest claimed priority date  
(37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE = \$65.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The  
assignment must be accompanied by an appropriate cover sheet  
(37 CFR 3.28, 3.31).

\$40.00 per property + \$

**TOTAL FEES ENCLOSED = \$65.00**

Amount to be  
refunded \$  
charged \$

- a. [X] A check in the amount of **\$65.00** to cover the above fees is enclosed.  
b. [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  
to cover the above fees. A duplicate copy of this sheet is enclosed.  
c. [X] The Commissioner is hereby authorized to charge any additional fees  
which may be required, or credit any overpayment to Deposit Account  
No. 06-0916. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any other fees due under 37 C.F.R. §1.16  
or §1.17 during the pendency of this application to our Deposit Account No. 06-0916.

SEND ALL CORRESPONDENCE TO:  
Finnegan, Henderson, Farabow  
Garrett & Dunner, L.L.P.  
1300 I Street, N.W.  
Washington, D.C. 20005-3315  
DWH/FPD/sci

*David W. Hill*

David W. Hill  
Reg. No. 28,220

Submitted: November 22, 2000

09/622095

09/622,535



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

F

08059 0002

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DCKET NO.
	FINNEGAN HENDERSON FARABOW	PCT/N79B/00098

FINNEGAN HENDERSON FARABOW  
1300 I STREET NW  
WASHINGTON DC 20005-3315

INTERNATIONAL APPLICATION NO.
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07/10/98

02/20/98

I.A. FILING DATE	PRIORITY DATE
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10/23/00

DATE MAILED:

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English. FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917.

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

☐ Notice of Defective Translation

Paullette Kidwell Paralegal  
Telephone: 703-305-3656

RECEIVED

OCT 27 2000

Docketed 10-27-00 Attorney DNH/USD  
Case 8059.0002  
Due Date 11-23-00 /EXE  
Action DEC 1/PM  
By AS

NOV 01 2000